

THE
Charter

OF THE
CITY
OF
ALBANY.

Printed by Order of the Mayor, Recorder, Aldermen, and
Commonalty of the City aforesaid.

NEW-YORK:

Printed by H. G A I N E, in Hanover-Square, 1771.

THE

History

OF THE

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THE
C H A R T E R
OF
The CITY of *ALBANY*.

THOMAS DONGAN, Lieutenant and Governor of the Province of *New-York*, and Dependencies in *America*, under his most sacred Majesty *JAMES* the Second, by the Grace of God, of *England*, *Scotland*, *France*, and *Ireland*, KING, Defender of the Faith, &c. and supreme Lord and Proprietor of the said Province of *New-York*, and its Dependencies.

To all Persons to whom these Presents shall or may come,
or in any wise concern, *sendeth Greeting* :

WHEREAS the Town of *Albany* is an antient Town within the said Province, and the Inhabitants of the said Town have held, used, and enjoyed, as well within the same as elsewhere within the said Province, divers and sundry *Rights, Liberties, Privileges, Franchizes, Free Customs, Prebeminences, Advantages, Jurisdictions, Emoluments and Immunities*, as well by Prescription, as by *Grants, Confirmations and Proclamations*, not only by divers Governors and Commanders in Chief in the said Province, under his said Majesty, but also of several Governors, Generals and Commanders in Chief of the *Nether-Dutch* Nation, whilst the same was or has been under their Power and Subjection. And whereas divers Lands, Tenements and Hereditaments, Jurisdictions, Liberties, Immunities and Privileges, have heretofore been given and granted to the Inhabitants of the said Town, sometimes by the Name of Commissaries of the Town of *Beverwyck*; sometimes by the Name of the Commissaries of the Town of *Albany*; sometimes by the Name of *Schepenen* of *William-Stadt*; and sometimes by the Name of Justices of the Peace for the Town of *Albany*; and by divers other Names, as by their several Grants, Writings, Records and Minutes amongst other Things may more fully appear. And whereas the Inhabitants of the said Town have erected, built, and appropriated at their own proper Costs and Charges, several public Buildings, Accommodations, and Conveniencies

T. DONGAN,
Governor.
1686.

Recital of
Grants by
former Go-
vernors,

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niencies for the said Town, as also certain Pieces or Parcels of Ground for the Use of the same, *That is to say*, The Town-Hall or Stadt-House, with the Ground thereunto belonging; the Church or Meeting Place, with the Ground about the same; the Buryal Place, adjoining to the Pallisades at the Southeast End of the Town; the Watch-House and Ground thereunto belonging; a certain Piece or Parcel of Land, commonly called or known by the Name of the Pasture, situate, lying and being to the Southward of the said Town, near the Place where the old Fort stood, and extending along *Hudson's River*, till it comes over against the most northerly Point of the Island, commonly called *Martin Geritsen's Island*, having to the East *Hudson's River*, to the South the Manor of *Rensselaerwyck*, to the West the High-way leading to the Town, the Pasture late in the Tenure and Occupation of *Martin Gerritsen*, and the Pasture late in the Tenure and Occupation of *Casper Jacobsse*, to the North the several Pastures late in the Tenure and Occupation of *Robert Sanders*, *Myndert Harmense*, and *Evert Wendel*, and the several Gardens late in the Tenures and Occupation of *Dirk Wessels*, *Killian Van Rensselaer* and *Abraham Staats*, with their and every of their Appurtenances; and also have established and settled one Ferry from the said Town to *Greenbush*, situate on the other Side of *Hudson's River*, for the Accommodation and Convenience of Passengers, the said Citizens and Travellers. And whereas several the Inhabitants of the Town, do hold from and under his most sacred Majesty respectively, as well by several and respective Patents, Grants, and Conveyances, made and granted by the late Governors and Commanders in Chief of the said Province, as otherwise, several and respective Messuages, Lands, Tenements, and Hereditaments, in the Town of *Albany* aforesaid, and that the said Inhabitants of the said Town of *Albany*, and their Heirs and Assigns respectively, may hold, exercise, and enjoy, not only such and the same Liberties, Privileges, Franchizes, Rights, Royalties, Free-Customs, Jurisdictions and Immunities, as they antiently have had, held, used and enjoyed, but also such public Buildings, Accommodations, Conveniencies, Messuages, Lands, Tenements and Hereditaments in the said Town of *Albany*, which as aforesaid, have been by the Inhabitants erected and built, or which have as aforesaid been held, enjoyed, granted, and conveyed unto them, or any of them respectively.

Know ye therefore, That I the said THOMAS DONGAN, by Virtue of the Commission and Authority unto me given, and Power in me presiding, at the humble Petition of the Justices of the Peace of the said Town of *Albany*, and for divers other good Causes and Considerations me thereunto moving,

Grant of Privileges by Gov. Dongan.

moving, have given, granted, ratified and confirmed, and by these Presents, for and on Behalf of His most sacred Majesty aforesaid, His Heirs and Successors, do give, grant, ratify, and confirm unto the said Inhabitants of the said Town, herein after agreed to be called by the Name or Names of, *The Mayor, Aldermen, and Commonalty, of the City of Albany*, all and every such and the same Liberties, Privileges, Franchises, Rights, Royalties, Free-Customs, Jurisdictions and Immunities, which they have antiently had, held and enjoyed, **Provided always**, That none of the said Liberties, Privileges, Franchises, Rights, Free-Customs, Jurisdictions, or Immunities, be inconsistent with, or repugnant to, the Laws of His Majesty's Kingdom of *England*, or other the Laws of the General Assembly of this Province; and the aforesaid publick Buildings, Accommodations and Conveniencies, Pieces or Parcels of Ground in the said Town, *that is to say*, The said Town-Hall or Stadt-House, with the Ground thereunto belonging; the said Church or Meeting-Place, with the Ground about the same; the said Burying-Place, the Watch-House, and Ground thereto belonging; the said Pasture, and the aforementioned Ferry, with their and every of their Rights, Members, and Appurtenances, together with all the Profits, Benefits and Advantages that shall or may accrue or arise at all Times hereafter, for Anchorage or Wharfage in the Harbour, Port or Wharf of the said City, with all and singular the Rents, Issues, Profits, Gains, and Advantages which shall or may arise, grow or accrue by the said Town-Hall or Stadt-House, and the Ground thereunto belonging; Church or Meeting-Place, with the Ground about the same, Burying-Place; Watch-House, Pasture, Ferry, and other the above-mentioned Premises, or any of them, and also all and every the Streets, Lanes, Highways and Alleys, within the said City, for the publick Use and Service of the said Mayor, Aldermen and Commonalty, of the said City, and of the Inhabitants of the Places adjacent, and Travellers there; together with full Power, Licence and Authority to the said Mayor, Aldermen and Commonalty, and their Successors for ever, to establish, appoint, order, and direct the establishing, making, laying-out, ordering, amending, and repairing of all Streets, Lanes, Alleys, Highways and Bridges, Water-Courses, and Ferries, in and throughout the said City, or leading to the same, necessary, needful, and convenient for the Inhabitants of the said City, and the Parts adjacent, and for Travellers there: **Provided always**, That the said Licence, so as above granted for the establishing, making, and laying-out Streets, Lanes, Alleys, Highways, Ferries, and Bridges, be not extended or construed to extend, to the taking away of any Person or Persons Right or Property, without his or their

Power to lay
out Streets,
&c.

B

Consent,

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Consent, or by some known Law of the said Province. And for the Consideration aforesaid, I do likewise give, grant, ratify, and confirm unto all and every the respective Inhabitants of the said City of *Albany*, and their severall and respective Heirs and Assigns, all and every the severall respective Messuages, Lands, Tenements, and Hereditaments, situate, lying and being in the said City, to them severally and respectively granted, conveyed, and confirmed by any the late Governors, Lieutenants, or Commanders in Chief of the said Province, or by the Commissaries or Justices of the Peace, or other Magistrates of *Albany* aforesaid, or otherwise howsoever; To hold to their severall and respective Heirs and Assigns forever.

Grant of
waste Land
and Royalties.

AND I do by these Presents, give and grant to the said Mayor, Aldermen, and Commonalty of the said City of *Albany*, all the waste, vacant, unpatented and unappropriated Land, lying and being within the said City of *Albany*, and the Precincts and Liberties thereof, extending and reaching to the Low-Water-Mark, in, by, and through all Parts of the said City; together with all Rivers, Rivulets, Coves, Creeks, Ponds, Water-Courses, in the said City, not heretofore given or granted, by any of the former Governors, Lieutenants, or Commanders in Chief, under their, or some of their respective Hands and Seals, or the Seal of the Province, to some respective Person or Persons, late Inhabitants of the said City, or of other Parts of the said Province; and also the Royalties of Fishing, Fowling, Hunting, Hawking, Mines, Minerals, and other Royalties and Privileges, belonging or appertaining to the City of *Albany* (Gold and Silver Mines only excepted.)

Liberty of
fishing and
cutting Wood

AND I do by these Presents give, grant, and confirm unto the said Mayor, Aldermen, and Commonalty of the said City of *Albany*, and their Successors, for ever, full and free Licence and Liberty of Fishing in *Hudson's-River*, not only within the Limits of the said City, but without, even so far Northward and Southward, as the River does extend itself, within the said County of *Albany*, together with free Liberty, Licence, and Authority to and for the said Mayor, Aldermen, and Commonalty of the City of *Albany* aforesaid, and their Successors, at all Time and Times hereafter, for and during the Space of One and Twenty Years, from and after the fourth Day of *November* last past, to be accomplished and fully to be compleat and ended, to cut down and carry away, out of any Part of the Manor of *Rensselaerwyck* (provided it be not within any fenced or inclosed Land) such Firewood and Timber, for building and fencing, as to them shall seem meet and convenient.

AND,

AND, I do by these Presents, grant unto the said Mayor, Aldermen, and Commonalty of the City of Albany, and their Successors for ever hereafter; all such Strays as shall be taken within the Limits, Precincts, and Bounds of the said City. Liberty of Strays, and

AND I do, by these Presents, give and grant unto the said Mayor, Aldermen, and Commonalty of the City of Albany, and their Successors, full Liberty and Licence at their Pleasure, to purchase from the Indians, the Quantity of five hundred Acres of low or Meadow Land, lying at a certain Place, called or known by the Name of *Schaabtecogue*, which Quantity of five hundred Acres, shall, and may be, in what Part of *Schaabtecogue*, or the Land adjacent, as they the said Mayor, Aldermen, and Commonalty of the City of Albany, shall think most convenient. to purchase Land of the Indians,

AND I do, by these Presents, give and grant unto the said Mayor, Aldermen, and Commonalty, full Power and Licence at their Pleasure, likewise to purchase from the Indians, the Quantity of one thousand Acres of low or Meadow Land, lying at a certain Place, called or known by the Name of *Tionnondoroge*, which Quantity of one thousand Acres of low or Meadow Land, shall, and may be in what Part of *Tionnondoroge*, or the Land adjacent on both Sides of the River, as they the said Mayor, Aldermen, and Commonalty of the said City of Albany, shall think most convenient; which said several Parcels of low or Meadow Land, I do hereby in Behalf of His said Majesty, his Heirs and Successors, give, grant, and confirm unto the said Mayor, Aldermen, and Commonalty of the City of Albany aforesaid, to be and remain to the Use and Behoof of them, and their Successors for ever. **To have and to hold**, All and singular the Premises, to the said Mayor, Aldermen, and Commonalty of the said City of Albany, and their Successors for ever, **RENDERING** and paying therefor unto His most sacred Majesty, His Heirs, Successors and Assigns, or to such Officer or Receiver, as shall be appointed to receive the same, yearly, for ever hereafter, the annual Quit-Rent or Acknowledgment of one Beaver Skin, in Albany, on the five and twentieth Day of *March*, yearly for ever. And to pay Quit-Rent.

AND moreover, I will, and by these Presents for His said Majesty, His Heirs, and Successors, grant, appoint, and declare, that the said City of Albany, and the Compass, Precincts, and Limits thereof, and the Jurisdiction of the same, shall from henceforth extend and reach itself, Bounds of the City of Albany and

8 CHARTER of the City of *ALBANY*,

and shall and may be able to reach forth and extend itself, as well in Length and in Breadth, as in Circuit, on the East by *Hudson's River*, so far as Low-Water-Mark; to the South, by a Line to be drawn from the southermost End of the Pasture, at the north End of the said Island, called *Martin Gerritsen's Island*, running back into the Woods, sixteen *English* Miles due Northwest, to a certain Kill or Creek, called the *Sand-kill*, on the North, to a Line to be drawn from the Post, that was set by Governor *Stuyvesant*, near *Hudson's River*, running likewise Northwest, sixteen *English* Miles; and on the West by a strait Line, to be drawn from the Points of the said south and north Lines; wherefore by these Presents, I do firmly enjoin and command, for and on Behalf of His said Majesty, His Heirs, and Successors, That the aforesaid Mayor, Aldermen, and Commonalty of the City aforesaid, and their Successors, shall, and may freely and quietly have, hold, use, and enjoy the aforesaid Liberties, Authorities, Jurisdictions, Franchises, Rights, Royalties, Privileges, Advantages, Exemptions, Lands, Tenements, Hereditaments, and Premises aforesaid, in Manner and Form aforesaid, according to the Tenure and Effect of the aforesaid Grants, Patents, Customs, and these Letters Patents of Grant and Confirmation, without the Let, Hindrance, or Impediment, of any of His Majesty's Governors, Lieutenants, or other Officers whatsoever; and that the said Mayor, Aldermen, and Commonalty of the City aforesaid, and their Successors, or any of them, in the free Use and Enjoyment of the Premises, or any of them, by the Lieutenants or Governors of His said Majesty, His Heirs, and Successors, or by any of them, shall not be hindred, molested, or in any wise disturbed.

Grant to have-
Officers,

AND also, I do, for and on the Behalf of his most sacred Majesty, his Heirs and Successors, ordain and grant to the Mayor, Aldermen, and Commonalty of the City of *Albany*, and their Successors, by these Presents, that for the better Government of the said City, Liberties and Precincts thereof, there shall be forever hereafter, within the said City, a Mayor, Recorder, Town-Clerk, and six Aldermen, and six Assistants, to be appointed, nominated, elected, chosen and sworn, as herein after is particularly and respectively mentioned, who shall be for ever hereafter, called, *The Mayor, Aldermen, and Commonalty of the City of Albany*, and that there shall be for ever one Chamberlain or Treasurer, one Sheriff, one Coroner, one Clerk of the Market, one high Constable, three Sub-Constables, and one Marshal or Serjeant at Mace, to be appointed, chosen, and sworn in Manner herein after mentioned.

AND

AND I do, by these Presents, for and on the Behalf of his most sacred Majesty, his Heirs and Successors, ordain, declare, constitute, grant and appoint, that the Mayor, Recorder, Aldermen, and Assistants of the said City of Albany, for the Time being, and their Successors, forever hereafter, be, and shall be, by Force of these Presents, one Body Corporate and Politick, in Deed, Fact, and Name, by the Name of, *The Mayor, Aldermen, and Commonalty of the City of Albany*; and them by the Name of, *The Mayor, Aldermen, and Commonalty of the City of Albany*, one Body Corporate and Politick, in Deed, Fact, and Name; and I do really and fully create, ordain, make, constitute, and confirm by these Presents, and that by the Name of, *The Mayor, Aldermen, and Commonalty of the City of Albany*, they may have perpetual Succession, and that they, and their Successors, forever, by the Name of, *The Mayor, Aldermen, and Commonalty of the City of Albany*, be, and shall be, forever hereafter, Persons able, and in Law capable, to have, get, receive, and possess Lands, Tenements, Rents, Liberties, Jurisdictions, Franchises, and Hereditaments, to them and their Successors, in Fee-Simple, or for Term of Life, Lives or Years, or otherwise; and also Goods, Chattels, and also other Things of what Nature, Quality, or Kind soever; and also to give, grant, let, set, and assign the said Lands, Tenements, Hereditaments, Goods, and Chattels, and to do and execute all other Things in and about the same, by the Name aforesaid; and also, That they be, and forever shall be, Persons able in Law, capable to plead, and be impleaded, answer, and be answered unto, defend, and be defended, in all or any of the Courts of his said Majesty, and other Places whatsoever, and before any Judges, Justices, and other Person or Persons whatsoever, in all, and all Manner of Actions, Suits, Complaints, Demands, Pleas, Causes, and Matters whatsoever, of what Nature, Kind, or Quality soever, in the same and the like Manner and Form as other People of this Province, being Persons able and in Law capable, may plead and be impleaded, answer and be answered unto, defend and be defended, by any lawful Ways or Means whatsoever; and that the said Mayor, Aldermen, and Commonalty of the said City of Albany, and their Successors, shall and may forever hereafter, have one common Seal to serve for the Sealing of all and singular their Affairs and Businesses, touching or concerning the said Corporation. And it shall and may be lawful to and for the said Mayor, Aldermen, and Commonalty of the said City of Albany, and their Successors, as they shall see Cause, to break, change, alter and new-make their said common Seal, and as often as to them it shall seem convenient.

The Corporation to be a Body Politick and Corporate.

10 CHARTER of the City of ALBANY,

Names of the
Officers.

And further, Know ye, That I have assigned, named, ordained and constituted, and, by these Presents, do assign, name, ordain and constitute, *Peter Schuyler*, to be the present Mayor of the said City of *Albany*, and that he the said *Peter Schuyler*, shall remain and continue in the Office of Mayor there, until another fit Person shall be appointed and sworn in the said Office, as in and by these Presents, is hereafter mentioned and directed. And I have assigned, named, ordained and constituted, and by these Presents, do assign, name, ordain and constitute, *Isaac Swinton*, to be the present Recorder of the said City, to do and execute all Things, which unto the Office of Recorder of the said City doth, or may any Way appertain or belong. And I have assigned, named, ordained and constituted, and by these Presents, do ordain, constitute, create and declare, *Robert Livingston*, Town-Clerk of the said City; to do and execute all Things which unto the Office of Town-Clerk, doth or may belong. And also I have named, assigned, constituted and made, and by these Presents, do assign, constitute, and make *Dirk Wessels*, *Jan Jans Bleecker*, *David Schuyler*, *Johannis Wendel*, *Lavinus Van Schaick*, and *Adrian Gerritse*, Citizens and Inhabitants of the said City of *Albany*, to be the present Aldermen of the said City. And also I have made, assigned, named and constituted, and by these Presents, do make, assign, name and constitute, *Joachim Staats*, *John Lansing*, *Isaac Verplank*, *Lawrence Van Ale*, *Albert Ryckman*, and *Melgert Wynantse*, Citizens and Inhabitants of the said City, to be the present Assistants of the said City. Also I have assigned, chosen, named and constituted, *Jan Bleecker*, Citizen and Inhabitant of the said City, to be the present Chamberlain, or Treasurer, of the City aforesaid. And I have assigned, named, constituted and appointed, and by these Presents, do assign, name, constitute and appoint, *Richard Pretty*, one other of the said Citizens there, to be the present Sheriff of the said City. And I have assigned, named, constituted and appointed, and by these Presents, do assign, name, constitute and appoint, *James Parker*, one other of the said Citizens, to be the present Marshal of the said City.

Power of the
Common
Council,

AND I do by these Presents, grant to the said Mayor, Aldermen, and Commonalty of the said City of *Albany*, and their Successors, That the Mayor, Recorder, Aldermen, and Assistants, of the said City, for the Time being, or the Mayor, and any three or more of the Aldermen, and any three or more of the Assistants, of the said City, for the Time being, be, and shall be called, *The Common Council of the said City*; and that they, or the greater Part of them, shall or may have full Power and Authority.

thority, by Virtue of these Presents, from Time to Time, to call and hold Common-Council, within the Common-Council House, or City-Hall of the said City; and there, as Occasion shall be, to make Laws, Orders, Ordinances, and Constitutions, in Writing; and to add, alter, diminish, and reform them, from Time to Time, as to them shall seem necessary and convenient (not repugnant to the Prerogative of the King's Majesty, his Heirs and Successors, or to any the Laws of the Kingdom of *England*, or other the Laws of the General Assembly of the Province of *New-York* aforesaid) for the good Rule, Oversight, Correction, and Government of the said City, and Liberties of the same, and of all the Officers thereof, and of the several Tradesmen, Victuallers, Artificers, and of all other People and Inhabitants of the City, Liberties, and Precincts aforesaid, and for the Preservation of Government, the *Indian* Trade, and all other Commerce and Dealing, and for Disposal of all the Lands, Tenements and Hereditaments, Goods and Chattels of the said Corporation: Which said Laws, Ordinances, and Constitutions, shall be binding to all the Inhabitants of the said City, Liberties, and Precincts aforesaid; and which Laws, Orders, Ordinances, and Constitutions, so by them to be made as aforesaid, shall be and remain in Force, for the Space of one Year, and no longer, unless they shall be allowed and confirmed, by the Governor and Council, for the Time being.

AND further, I will and grant to the said Common Council, of the said City, for the Time being, as often as they make, ordain, and establish such Laws, Orders, Ordinances, and Constitutions aforesaid, shall or may make, ordain, limit, provide, set, impose, and tax reasonable Fines and Amerciaments, against, and upon all Persons offending against such Laws, Orders, Ordinances, and Constitutions, as aforesaid or any of them, to be made, ordained, and established, as aforesaid, and the same Fines and Amerciaments shall and may require, demand, levy, take and receive, by Warrants under the common Seal, to and for the Use and Behoof of the Mayor, Aldermen, and Commonalty of the said City, and their Successors, either by Distress, and Sale of the Goods and Chattels of the Offenders therein, if such Goods and Chattels may be found within the said City, Liberties, and Precincts thereof, rendering to such Offender and Offenders the Overplus, or by any other lawful Ways or Means whatsoever.

Power to
make Laws
and Ord-
nances.

AND, I do by these Presents, for the King's Majesty, his Heirs and Successors, approve and ordain the Assigning, Naming, and Appointment of

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Time for nominating the Mayor, &c.

of the Mayor, and Sheriff, of the said City, that it shall be as followeth, (*viz.*) Upon the Feast Day of *St. Michael* the Arch-Angel, yearly, the Lieutenant Governor or Commander in Chief, for the Time being, by and with the Advice of his Council, shall nominate and appoint such a Person as he shall think-fit, to be Mayor of the said City, for the Year next ensuing; and one other Person of sufficient Ability in Estate, and Capacity in Understanding, to be Sheriff of the said City of Albany, for the Year next ensuing; and that such Person as shall be assigned, named, and appointed Mayor, and such Person as shall be named, assigned, and appointed Sheriff of the said City as aforesaid, shall on the 14th Day of *October*, then next following, in the City Hall or Stadt House aforesaid, take their several and respective corporal Oaths before the Recorder, Aldermen and Assistants, or any three of the Aldermen, and four of the Assistants of the said City, for the Time being, for the due Execution of their respective Offices, as aforesaid; and that the said Mayor and Sheriff, so to be nominated and appointed as aforesaid, shall remain and continue in their respective Offices, until another fit Person shall be nominated, appointed, and sworn in the Place of Mayor; and one other Person shall be nominated, appointed, and sworn in the Place of Sheriff of the said City, in Manner aforesaid; which Oaths the said Recorder, Aldermen and Assistants, or any three or more of the Aldermen, shall and may lawfully administer, and have hereby Power to administer to the said Mayor, and the said Sheriff, so nominated and appointed, from Time to Time, accordingly.

AND further, That according to Usage and Custom, the Recorder and Town Clerk of the said City, shall be Persons of good Capacity and Understanding, such as His most sacred Majesty, his Heirs and Successors, shall in the said respective Offices of Recorder and Town-Clerk, respectively appoint and commissionate; and for Defect of such Appointment, and commissionating, by his most sacred Majesty as aforesaid, his Heirs and Successors, to be such Persons as the said Governor, Lieutenant or Commander in Chief of the said Province, for the Time being, shall appoint or commissionate; which Persons so commissioned to the said Office of Recorder, and Office of Town Clerk respectively, shall have, hold, and enjoy the said Offices respectively, according to the Tenor and Effect of the said respective Commissions, and not otherwise.

AND further, I will, that the Recorder, Town Clerk, Aldermen, Assistants, Chamberlain, High-Constable, Petty-Constables, and all other

other Officers of the said City, before they, or any of them shall be admitted to enter upon and execute their respective Offices, shall be sworn faithfully to execute the same, before the Mayor, or any three or more of the Aldermen, for the Time being. And I do, by these Presents, for and on Behalf of His said Majesty, his Heirs and Successors, grant and give Power and Authority to the Mayor and Recorder of the said City, for the Time being, to administer the same respective Oaths to them accordingly.

AND further I will, and by these Presents, do grant for and on Behalf of His most sacred Majesty, his Heirs and Successors, that the Mayor, Aldermen, and Recorder of the said City, for the Time being, shall be Justices and Keepers of the Peace of His said Majesty, his Heirs and Successors, and Justices to hear and determine Matters and Causes within the said City, Liberties, and Precincts thereof; and that they or any three or more of them, shall and may forever hereafter, have Power and Authority, by Virtue of these Presents, to hear and determine all and all Manner of Petty Larcenies, Riots, Routs, Oppressions, Extortions, and all other Trespasses and Offences whatsoever, within the said City of Albany, and the Limits, Precincts, and Liberties thereof, from Time to Time, arising and happening, and which shall arise or happen, and any Ways belong to the Office of Justices of the Peace, and Correction and Punishment of the Offences aforesaid, and every of them, according to the Laws of England, and the Laws of the said Province; and to do and execute all other Things in the said City, Liberties and Precincts aforesaid, so fully and in as ample Manner as to the Commissioners assigned, and to be assigned for the Keeping of the Peace in the said City and County of Albany, doth or may belong.

Mayor and Aldermen to be Justices of the Peace.

AND moreover, I do by these Presents, for His Majesty, his Heirs and Successors, will and appoint that the Aldermen and Assistants, within the said City, be yearly chosen on the Feast Day of St. Michael the Arch-Angel, forever, (viz.) Two Aldermen and two Assistants, for each respective Ward, in such publick Place in the said respective Wards, as the Aldermen, for the Time being, for each Ward, shall direct and appoint; and that by the Majority of Voices of the Inhabitants, of each Ward; and that the Chamberlain shall be yearly chosen, on the said Feast Day, in the City Hall of the said City, by the said Mayor, Aldermen, and Assistants of the said City, or by the Mayor or three or more of the Aldermen, and three or more of the Assistants of the said City, for the

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Time being. **AND** I do, by these Presents, constitute and appoint *Robert Livingston*, to be the present Town Clerk, Clerk of the Peace, and Clerk of the Court of Pleas, to be holden before the Mayor, Recorder, and Aldermen, within the said City, and the Liberties and Precincts thereof.

AND further, I do by these Presents, for His said Majesty, His Heirs and Successors, require and straitly charge and command, That the Sheriff, Town-clerk, Clerk of the Peace, High-constable, Petty-constables, and all other subordinate Officers in the said City, for the Time being, and every of them respectively, jointly and severally, as Causes shall require, shall attend upon the said Mayor, Recorder, and Aldermen of the said City, for the Time being, and every or any of them, according to the Duty of their respective Place, in and about the executing of such the Commands, Precepts, Warrants and Process of them, and every of them, as belongeth and appertaineth to be done or executed.

Power to
commit all
Offenders and
Criminals.

AND that the aforesaid Mayor, Recorder, and Aldermen, and every of them, as Justices of the Peace, for the Time being, by their or any of their Warrants, all and every Person or Persons, for High Treason or Petty Treason, or for Suspicion thereof, and for other Felonies whatsoever, and all Malefactors and Disturbers of the Peace, and other Offenders for any other Misdemeanours, who shall be apprehended within the said City or Liberties thereof, or without the same in any Part within the said County, shall and may send and commit, or cause to be sent and committed to the common Goal of the said City, there to remain and be kept in safe Custody by the Keeper of the said Goal, or his Deputy for the Time being, until such Offender and Offenders shall be lawfully delivered thence.

Keeper of
Goal shall re-
ceive Offenders.

AND I do, by these Presents, for his said Majesty, his Heirs and Successors, charge and require the Keeper and Keepers of the said Goal for the Time being, and his and their Deputy and Deputies, to receive and take into safe Custody, to keep all and singular such Person and Persons so apprehended, or to be apprehended, sent and committed unto the said Goal, by Warrant of the said Justices, or any of them as aforesaid, until he or they so sent and committed to the said Goal, shall from thence be delivered by due Course of Law.

AND further, I grant and confirm, for his said Majesty, his Heirs and Successors, That the said Mayor of the said City for the Time being, and

no other, shall have Power and Authority to give and grant Licenses annually, under the publick Seal of the said City, to all Tavern-keepers, Infir-keepers, Ordinary-keepers, Victuallers, and all publick Sellers of Wine, strong Waters, Cyder, Beer, or any Sort of Liquors by Retail within the City aforesaid, or the Liberties and Precincts thereof, or without the same in any Part of the said County; and that it shall and may be lawful to and for the said Mayor of the said City, for the Time being, to ask, demand, and receive for each License by him to be given and granted as aforesaid, such Sum or Sums of Money, as he and the Person to whom such License shall be given or granted, shall agree for, not exceeding the Sum of Thirty Shillings, current Money of this Country, for each Licence; all which Money, as by the said Mayor, shall be so received, shall be used and applied to the publick Use of the said Mayor, Aldermen, and Commonalty of the said City of Albany, without any Account thereof to be rendered, made or done to His said Majesty, his Heirs, Successors or Assigns, or any of his Lieutenants, or Governors of the said Province for the Time being, or any of their Deputies.

Mayor to grant Licenses to Tavern Keepers.

And further, I do grant for his said Majesty, his Heirs and Successors, That the said Mayor of the said City, for the said City, for the Time being, and no other, be, and for ever shall be Clerk of the Market within the City aforesaid, and the Liberties and Precincts thereof; and that he, and no other, shall and may for ever do, execute and perform all and singular Acts, Deeds and Things whatsoever, belonging to the Office of Clerk of the Market within the City aforesaid, and the Liberties and Precincts thereof, to be done, executed, and performed. And that the said Mayor of the said City for the Time being, and no other Person or Persons, shall or may have Assize or Assay of Bread, Wine, Beer and Wood, and other Things to the Office of Clerk of the Market belonging or concerning, as well in the Presence as in the Absence of his said Majesty, his Heirs and Successors, or his or their Lieutenants or Governors here. Also, I will and grant for his said Majesty, his Heirs and Successors, unto the Mayor, Aldermen and Commonalty of the said City for the Time being, and their Successors forever, That the Mayor of the City aforesaid, for the Time being, during the Time that he shall remain in the said Office of Mayor, and no other, be, or shall be Coroner of his said Majesty, his Heirs and Successors, as well within the City aforesaid, and the Liberties and Precincts thereof, as without the same, within the Limits or Bounds of the said County: And that he, and no other, shall do or cause to be done and executed, within the said City, Limits and Precincts thereof, or without the same, within the

Mayor to be Clerk of the Market and settle Assize of Bread, &c.

And to be Coroner,

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the Limits and Bounds of the County, all and singular Matters and Things to the said Office of Coroner belonging, there to be done. And that the said Mayor of the said City for the Time being, shall take his corporal Oath before the Recorder, or any three or more of the Aldermen of the said City, well and duly to execute the said Office of Clerk of the Market and Coroner of the said City and County, before he take upon him the Execution of either of the said Offices.

Persons chosen to be Officers and refusing to serve to be fined,

And also, I do by these Presents, grant unto the Mayor, Aldermen, and Commonalty of the said City of Albany, That if any of the Citizens of the said City, or Inhabitants within the Liberties and Precincts thereof, that shall after be elected, nominated and chosen to the Office of Mayor, Aldermen, Assistants, Sheriff or Chamberlain of the said City as aforesaid, and have Notice of his or their Election, shall refuse or deny to take upon him or them to execute that Office, to which they shall be so chosen or nominated; that then, and so often it shall and may be lawful for the Mayor, Recorder, Aldermen and Assistants of the said City, for the Time being, or the Mayor, or any three of the Aldermen, and three or more of the Assistants of the said City for the Time being, to tax, assess, and impose upon such Person or Persons so refusing or denying, such reasonable or moderate Fines and Sum of Money as to their Discretion shall be thought most fit, so as the said Fine, Penalty, or Sum, for refusing or denying to hold and execute the Office of Mayor of the said City, do not exceed the Sum of *Twenty Pounds*, current Money of this Country; and the Fine for refusing or denying to hold and execute the Place of an Alderman do not exceed the Sum of *Ten Pounds*, like current Money; and the Fine for denying or refusing to hold and execute the Place of Chamberlain, Assistant or Sheriff, the Sum of *Five Pounds*, like current Money.

and others elected in their Room.

AND I do, by these Presents, for his said Majesty, his Heirs and Successors, authorize the Mayor, Recorder, Aldermen, and Assistants of the said City, for the Time being, and the Mayor, and three or more of the Aldermen, and three or more of the Assistants there for the Time being, to frustrate and make void the Election of such Person or Persons so refusing or denying as aforesaid; and then, and in such Cases, any other fit and able Person and Persons, Citizen, and Citizens of the said City, or inhabiting within the Liberties and Precincts thereof, in convenient Times, to elect a new, in Manner aforesaid, directed and prescribed to execute such Office and Offices so denied, or refused to be executed as aforesaid; and that if it shall happen that such Person or Persons so to be elected

electd a new, shall refuse or deny to take upon him or them any of the said Office or Offices unto which he or they shall be chosen and elected, as aforesaid; then and in such Case, the Mayor, Recorder, Aldermen, and Assistants of the said City for the Time being, or the said Mayor, or three or more of the said Aldermen, and three or more of the Assistants of the said City for the Time being, shall or may set, and impose upon them so denying or refusing, such and the like moderate Fines as is before set down in the like Cases, to the respective Offices, with such Limitations as aforesaid; and also, in such and the like Manner as aforesaid, to continue and make void such Election and Elections, and make new Elections as often as Need shall be and require: All which said Fines so set and imposed, I do, by these Presents, for and on Behalf of his said Majesty, his Heirs, Successors and Assigns, grant to be, and shall be and remain, and belong unto, and shall be put into the Possession and Seizen of the Mayor, Aldermen, and Commonalty for the Time being, and their Successors, to be levied and taken by Warrant under the common Seal, and by Distress and Sale of the Goods and Chattles of the several Persons so refusing or denying as aforesaid, if such Goods and Chattles may be found within the said City, Liberties, and Precincts thereof, rendering to the Parties the Overplus, or by any other Ways or lawful Means whatsoever, to the only Use of the said Mayor, Aldermen, and Commonalty of the said City of Albany, and their Successors, without any Account to be rendred, made, or done to the said King's Majesty, his Heirs, Successors or Assigns for the same.

And Know ye, That for the better Government of the said City, and for the Welfare of the Citizens, Tradesmen and Inhabitants thereof, I do by these Presents, for his said Majesty, his Heirs and Successors, give and grant to the said Mayor, Aldermen, and Commonalty of the said City, and their Successors, that the Mayor, Recorder and Aldermen, or the Mayor or any three or more of the Aldermen, for the Time being, shall, from Time to Time, and all Times hereafter, have full Power and Authority, under the common Seal, to make free Citizens of the said City and Liberties thereof; and no Person or Persons whatsoever, other than such free Citizens, shall hereafter use any Art, Trade, Mystery or manual Occupation within the said City, Liberties, and Precincts thereof, saving in the Times of Fairs there to be kept, and during the Continuance of such Fairs only. And in Case any Person or Persons whatsoever, not being free Citizens, shall hereafter use or exercise any Art, Trade, Mystery or manual Occupation, or shall by himself, themselves or others, sell or expose to Sale

None but
Freemen to
trade in the
City of Al-
bany.

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any Manner of Merchandize or Wares whatsoever by Retail, in any House, Shop or Place, or Standing within the said City, or the Liberties or Precincts thereof, no Fair being then kept in the said City, and shall persist therein, after warning to him or them given or left, by the Appointment of the Mayor of the said City, for the Time being, at the Place or Places where such Person or Persons shall so use and exercise any Art, Trade, Mystery or manual Occupation, or shall sell or expose to sale, any Wares or Merchandizes as aforesaid, by Retail; then it shall be lawful for the Mayor of the said City, for the Time being, to cause such Shop Windows to be shut, and also to impose such reasonable Fine for such Offence, not exceeding *Twenty Shillings*, for every respective Offence; and the same Fines so imposed, to levy and take, by Warrant under the common Seal of the said City, for the Time being, by Distress and Sale of the Goods and Chattles, of the Person or Persons so offending in the Premises, found within the Liberties and Precincts of the said City, rendering to the Parties the Overplus, or by any other lawful Ways or Means whatsoever, to the only Use of the said Mayor, Aldermen, and Commonalty of the said City of *Albany*, and their Successors, without any Account to be rendered, made or done to his Majesty, his Heirs and Successors, or to his or their Lieutenants, Governors, or Commanders in Chief for the same. **Provided always**, That no Person or Persons, shall be made free as aforesaid, but such as are his Majesty's natural born Subjects, or such as shall be first naturalized by Act of the General Assembly, or have obtained Letters of Denization, under the Hand of the Lieutenant, or Governor, or Commander in Chief, for the Time being, and the Seal of the said Province; and that all Persons to be made free as aforesaid, shall and do pay for the publick Use of the said Mayor, Aldermen, and Commonalty of the said City, such Sums of Money, as such Person or Persons, so to be made free, shall respectively agree for, not exceeding the Sum of *Three Pounds Twelve Shillings*, for the Admission of each Merchant or Trader; and the Sum of *Six and Thirty Shillings*, for the Admission of each Handicraft or Tradesman.

And whereas, amongst other the Rights, Privileges, Preheminences and Advantages, which the Citizens and Freemen of the said City of *Albany*, and their Predecessors, have for many Years last past held, used and enjoyed, the Privileges, Preheminences, and Advantages of having within their own Walls, the sole Management of the Trade with all the *Indians* living within and to the Eastward, Northward and Westward of the said County of *Albany*, within the Compass of his said Majesty's Dominion here, which hath been from Time to Time, confirmed to them, and their

said

said Predecessors, as well by Prescription, as by divers and sundry Grants, Orders, Confirmations and Proclamations, granted, ordered, confirmed, and issued forth, not only by and from divers Governors, and Commanders in Chief in the said Province, since the same hath been under his said Majesty's Dominion, but also of several Governors, Generals, and Commanders in Chief of the *Nether-Dutch Nation*, whilst the same was, or has been under their Power and Subjection, which has always been found by Experience, to be of great Advantage, not only to the said City in particular, but to the whole Province in general, and that by the Care, Caution, and Inspection of the Magistrates of the said City, to the well and orderly Management and keeping the Trade with the *Indians* within their Walls, it hath returned vastly to the Advancement of Trade and the increase of his Majesty's Revenue, and been the sole Means, not only of preserving this Province in peace and quiet, whilst the neighbouring Colonies were imbrued in Blood and War; but also of putting an End to the Miseries those Colonies laboured under from the insulting Cruelty of the *Northern Indians*. Whereas on the other Hand, it has been no less evident, that whenever there has been any Slackness or Remissness in the Regulation and keeping the *Indian* Trade within the Walls of the said City, occasioned by the Incroachment of some Persons trading with the *Indians* in Places remote, some clandestinely, others upon Pretence of Hunting Passes, and the like, the Trade not only of the said City, but of the whole Province has apparently decreased, the King's Revenue has been much impaired, and not only so, but this Government has lost much of the Reputation and Management amongst the *Indians*, which it otherwise had and enjoyed; wherefore, for and on Behalf of his said Majesty, his Heirs and Successors, I have given, granted, ratified and confirmed, and by these presents, do give, grant, ratify, and confirm unto the Mayor, Aldermen, and Commonalty of the said City of *Albany*, and their Successors forever, the Right, Privilege, Preheminence, and Advantage of the Sole and only Management of the Trade with the *Indians*, as well within this whole County, as without the same, to the Eastward, Northward and Westward thereof, so far as his Majesty's Dominion here does or may extend, to be managed and transacted only by the Freemen, being actual Inhabitants within the said City, and within the now Walls or Stockadoes thereof, and not elsewhere. And I do hereby, for his said Majesty, his Heirs and Successors, absolutely forbid and prohibit, all and every the Inhabitants of the said Province of *New-York* (the Inhabitants of the said City of *Albany* only excepted) to trade or traffick with any of the five Nations of *Indians*, called the *Sennekas*, *Cayonges*, *Onondages*, *Oneydes* and *Maquēas*, who live to the Westward, or with any other *Indian* or *Indians* whatsoever, within the County

None but
Freemen to
trade with the
Indians.

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County of *Albany*, or to the Eastward, Northward or Westward thereof, so far as his said Majesty's Dominions here, do or may extend, or to have or keep in their Houses or elsewhere, any *Indian* Goods or Merchandize, upon the Pain and Penalty of the Forfeiture and Confiscation of such *Indian* Commodities, whether the same be Beavers, Peltry, or other *Indian* Commodities whatsoever, except Indian Corn, Venison, and drest Deer Skins, to trade for, and upon Pain and Penalty of the Forfeiture and Confiscation of all such *Indian* Goods and Merchandizes, as Guns, Powder, Lead, Duffels, Rum, and all other *Indian* Goods and Merchandize, which shall at any Time hereafter be found, concealed, or kept in any House or Place without the Walls of the said City, and within the said County of *Albany*, and the other Limits and Boundaries herein before set forth and prescribed; and in Case any Person or Persons whatsoever, shall at any Time hereafter, out of the Walls of said City, and within the said County, or the other Limits and Boundaries herein before set forth and prescribed, trade or traffick with any *Indian* or *Indians*, for any Beavers, Peltry, or other *Indian* Commodities (except before excepted) or there shall conceal and keep any *Indian* Goods, Wares, or Merchandizes in any House or Place, as aforesaid; then it shall and may lawful for the Mayor, Recorder, or any of the Aldermen, for the Time being, by Warrant under their or any of their Hands, to cause such *Indian* Commodities, so traded for, and such Goods or Merchandizes so kept and concealed without the Walls of the said City, wheresoever they shall be found within the said City or County, or without the same, within the Limits and Boundaries before expressed, to be seized, and the same to be condemned and confiscate, in the Court of Pleas, or Common Pleas in the said City, or any other Court of Record within the said City or Province, one third Part to the Mayor of the said City, for the Time being, one third Part to such Person or Persons, as shall inform or sue for the same, and the other third Part to the Use of the Mayor, Aldermen, and Commonalty of the said City of *Albany*, and their Successors for ever. And also, that it shall and may be lawful to and for the Mayor, Recorder, and Aldermen of the said City, for the Time being, by a Warrant under their or any of their Hands and Seals, to cause such Person or Persons, as shall presume to trade or traffick with the *Indians*, contrary to the Form and Effect of these Presents, to be apprehended, wherever they shall be found, within the Limits and Boundaries herein before prescribed, to answer the same at the Court of Pleas and Common Pleas in the said City, or any other Court of Record within the said City or Province, where being legally convicted thereof, such Person or Persons, over and besides the Forfeiture

feiture and Confiscation of such Goods, Merchandizes and Commodities, as aforesaid, shall be fineable, and fined in such Sum or Sums of Money (not exceeding *Twenty Pounds*, Current Money of this Country) as at the Discretion of such Court, before whom he or they shall be prosecuted, shall be thought reasonable and convenient; which said Fines, shall be one third Part to the Person who shall inform and prosecute for the same, and the other two Thirds to the Use of the Mayor, Aldermen and Commonalty, and their Successors forever.

And further, I do by these Presents, for and on the Behalf of his said Majesty, his Heirs and Successors, grant and declare to the said Mayor, Aldermen, and Commonalty of *Albany*, and their Successors, That his Majesty, his Heirs and Successors, nor any of his or their Governors, Lieutenants, Commanders in Chief, or other Officers, shall not, or will not, from henceforth forever hereafter, grant unto any Person or Persons whatsoever, any Licence or Licences, to hunt within the said County of *Albany*, or to the Eastward, Northward or Westward, so far as his said Majesty's Dominions here, doth, or may extend, without the Consent and Approbation of the Mayor, Aldermen, and Commonalty of the said City of *Albany*, for the Time being, by the said Person or Persons first to be had and obtained.

No Licence to trade with *Indians*, without the Consent of Mayor and Aldermen.

And further, I do by these Presents, for his said Majesty, and his Successors, grant to the said Mayor, Aldermen and Commonalty, of the said City, That they and their Successors, be forever Persons able and capable, and shall have Power to purchase, have, take and possess, in Fee Simple, Lands, Tenements, Rents and other Possessions, within or without the same City, to them and their Successors forever, so as the same exceed not the yearly Value of one Thousand Pounds *per Annum*, the Statute of *Mortmain*, or any other Law to the contrary notwithstanding; and the same Lands, Tenements, Hereditaments and Premises, or any Part thereof, to demise, grant, lease, set over, assign and dispose at their own Will and Pleasure, and to make, seal and accomplish, any Deed or Deeds, Lease or Leases, Evidences or Writings, for or concerning the same, or any Part thereof, which shall happen to be made and granted by the said Mayor, Aldermen and Commonalty of the said City, for the Time being.

Corporation to purchase Lands, &c.

And further, For and on Behalf of his said Majesty, his Heirs and Successors, I do by these Presents grant to the said Mayor, Aldermen and Commonalty, that they and their Successors shall, and may forever here-

And appoint Markets.

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after hold and keep, within the said City, in every Week of the Year, Two Market Days, the one upon *Wednesday*, and the other upon *Saturday*, weekly forever.

And build a
Weigh-house,
&c.

And also, I do by these Presents, for and on the Behalf of his said Majesty, his Heirs and Successors, grant to the said Mayor, Aldermen and Commonalty, of the said City, that they and their Successors, and Assigns, shall and may, at any Time or Times hereafter, build a publick Weigh-house in such Part of the said City, as to them shall seem convenient; and that they the said Mayor, Aldermen and Commonalty, shall, and may receive, perceive, and take to their own proper Use and Behoof of all and singular the Issues and Profits therefrom, or thereby arising or accrewing; as also, that they the said Mayor, Aldermen and Commonalty, of the said City of Albany, their Heirs and Successors, shall and may, at any Time or Times hereafter, when it to them shall seem fit and convenient, to take in, fill and make up, and lay out all and singular the Ground and Lands within the Limits and Precinct of the said City, and the same to build upon, and make use of in other Manner or Way, as to them shall seem fit, as far into the River, that passeth by the same, as low Water Mark aforesaid.

To hold a
Court every
two Weeks,

And further, For and on Behalf of his said Majesty, his Heirs and Successors, I do by these Presents, give and grant unto the aforesaid Mayor, Aldermen and Commonalty, of the said City of Albany, and their Successors, That they and their Successors, shall and may have, hold and keep within the said City, Liberties and Precincts thereof, once every Fortnight, in every Year, forever, upon *Tuesday*, one Court of Common-Pleas, for all Actions of Debt, Trespass upon the Case, Detinue, Ejectment, and other personal Actions, and the same to be held before the Mayor, Recorder and Aldermen, or any three of them (whereof the Mayor or Recorder to be one) who shall have Power to hear and determine the same Pleas and Actions, according to the Rules of the Common Law, Acts of General Assembly of the said Province, and the Course of other Corporations in the like Nature.

And deter-
mine Actions.

And further, For and on the Behalf of his said Majesty, his Heirs and Successors, I do by these Presents, give and grant to the said Mayor, Aldermen and Commonalty, of the said City of Albany, and their Successors forever, That the Mayor of the said City, for the Time being, shall and may determine all and all Manner of Actions, or Causes whatsoever, to be had, moved or depending between Party and Party, so always as the same exceed not the Value of Forty Shillings current Money of this Province.

And

And further, For and on Behalf of his said Majesty, his Heirs and Successors, I do grant to the said Mayor, Aldermen and Commonalty, of the said City, and their Successors forever, That the Mayor, Recorder and Aldermen, of the said City, shall always be, so long as they shall continue in their said respective Offices, Justices of the Peace for the said County, and as such, shall and may sit in the Courts of Sessions, or County Courts, and Courts of Oyer and Terminer, that shall from Time to Time be held and kept within the said County; and that the Mayor, Recorder, or some one of the Aldermen of the said City, for the Time being, shall and may always preside in, or be President of such County Courts, or Courts of Sessions, to be held within the said County, as aforesaid; and that the Sheriff of the said City, for the Time being, shall always be Sheriff of the said County; also, that the Town-Clerk of the said City, for the Time being, shall always be Clerk of the Peace, and Clerk of the Court of Sessions, or County Courts for the said County.

Mayor, Recorder and Aldermen, to sit in Courts to, &c.

And further, I do, for and on Behalf of his said Majesty, his Heirs and Successors, by these Presents, grant to the said Mayor, Aldermen and Commonalty, of the said City of Albany, and their Successors, that the said Mayor, Aldermen and Commonalty, of the said City, and their Successors, shall have and enjoy all the Privileges, Franchises and Powers, that they have and use, or that any of their Predecessors, at any Time within the Space of Twenty Years last past had, took or enjoyed, or ought to have had, by Reason or under Pretence of any further Charter, Grant, Prescription, or any other Right, Custom or Usage, altho' the same have been forfeit or lost, or hath been ill used, or not used, or abused, or discontinued, albeit they be not particularly mentioned herein; and no Officer shall disturb them therein, under any Pretence whatsoever, not only for their future, but their present Enjoyment thereof. **Provided always,** That the said Privileges, Franchizes and Powers, be not inconsistent with, or repugnant to the Laws of his Majesty's Kingdom of *England*, or other the Laws of the General Assembly, as aforesaid, and saving to his Majesty, his Heirs, Successors and Assigns, and his Commanders in Chief, Lieutenants, Governors, and other Officers under him or them in his *Fort Albany*, in or by the City of *Albany*, and in all the Liberties, Boundaries, Extents and Privileges thereof, for the Maintenance of the said Fort and Garrison there, all the Right Use, Title and Authority, which his said Majesty, or any of his said Commanders in Chief, Lieutenants and other Officers have had, used or exercised there (excepting the said Pasture herein before granted, or mentioned to be granted to the said

Former Grants and Privileges to be enjoyed.

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said Mayor, Aldermen and Commonalty, of the City of Albany aforesaid, and saving to all other Persons, Bodies Politick and Corporate, their Heirs, Successors and Assigns, all such Right, Title and Claim, Possessions, Rents, Services, Commons, Emoluments and Interest of, in and to any Thing that is theirs, save only the Franchizes aforesaid, in as ample Manner, as if this Charter had not been made.

And further, I do appoint and declare, That the Incorporation to be founded by this Charter, shall not, at any Time hereafter, do, or suffer to be done, any Thing by the Lands, Tenements or Hereditaments, Stock, Goods or Chattles thereof, or in the Hands, Custody or Possession of any the Citizens of the said City, such as have been set, let, given, granted, or collected to and for pious and charitable Uses, shall be wasted or mis-employed, contrary to the Trust or Intent of the Founder or Giver thereof. And that such, and no other Construction, shall be made hereof, than that which may tend most to advance Religion, Justice, and the Publick Good, and to suppress all Acts and Contrivances to be invented or put in Use contrary thereunto. *In Witness* whereof, I have to these Presents set my Hand, and thereto have affixed the Seal of the said Province, and caused the same to be enroled in the Secretary's Office of the said Province, this Two and Twentieth Day of *July*, in the Second Year of His said Majesty's Reign, and in the Year of our LORD, One Thousand Six Hundred Eighty and Six.

Land, &c. appointed for charitable Uses, not to be wasted.

THOMAS DONGAN.



20. JY 64